Administration

Phasing out of Civil Servants

1.1 I first broached the subject of "delinking" with the Administration in 2001. Three years later, I can now claim that my Office is totally delinked from Government, with a workforce entirely on contract. I have released civil servants seconded from Government in phases to minimise the impact of a drastic loss of experience and expertise that may affect the operation of my Office.

1.2 10 December 2004 is a milestone in our development as we bade farewell to the last civil service secondee. The concern of the public and the Legislative Council that the independence of The Ombudsman's Office might be compromised by the secondment arrangement should be put to total rest.

Maximising Staff Resources

1.3 The number of complaints received has picked up quickly after Severe Acute Respiratory Syndrome ("SARS") in 2003 subsided. This year, we maintain a high level of incoming complaints similar to last year. To cope with the heavy caseload, we adopt flexible approaches in the deployment of manpower resources as well as allocation of cases among Investigation Teams to maximise output. During the year, we concluded a total of 5,023 complaints, compared with 4,345 last year.

1.4 I also review my establishment from time to time to streamline and adjust our staff resources to ensure our financial viability without affecting our operational efficiency and effectiveness. At the directorate level, we have decided to implement an important structural change by deleting a Principal Executive Officer post, thus reducing the number of directorate members from five to four. The investigative and administrative duties of that post have already been shared among the heads of the Investigation Divisions and the Administrative and Development Division. The division of responsibility among the remaining directorate officers was revised for clearer and better balanced distribution of duties.

1.5 For support services, we reviewed the secretarial and clerical support for the two Investigation Divisions and the teams. We found room for consolidation and re-alignment of duties. The rescheduling exercise is now in hand, to be completed in the first half of 2005. We also deleted a couple of clerical posts due to simplifying our organisation and re-engineering procedures and practices.

Fig. 1.1

Contract Staff in the Office
(as at 31 March)

	2001	2002	2003	2004	2005
Contract Staff	16 (17.8%)	58 (59.2%)	76 (83%)	83 (94.3%)	88 (100%)
Civil Servants	74 (82.2%)	40 (40.8%)	16 (17%)	5 (5.7%)	0 (0%)
Total	90	98	92	88	88

1.6 The continued employment of Temporary Case Officers ("TCOs") has helped to cater for seasonal fluctuations of caseload or to carry specific projects. Most of our TCOs have rich experience in public administration and can replenish the loss of experience due to phasing out of civil service secondees.

Staff Training

1.7 With new entrants joining our Office, we are mindful of their training needs. Our aim is to help them settle in and be fully operational as quickly as possible. To this end, we attach great importance to both induction and on-the-job training to familiarise them with our mode of operation and complaint handling process.

1.8 In the past couple of years, we steadily reduced our reliance on Government's training services. Although we still resort to some of the courses run by the Civil Service Training and Development Institute for our staff to acquire basic skills, we endeavour to develop our own programmes for specific operational needs. We have commissioned an experienced trainer to run Putonghua courses for staff during lunch breaks to cater for the increasing use of the language in answering enquiries and interviewing complainants. We are also planning to design and run our own courses to sharpen the skills of our investigators in report writing.

1.9 To strengthen communication and experience sharing, our open forums for staff will be organised every two months, starting from February 2005. Investigation teams take turns to offer topics for discussion and to lead the sessions. These forums provide an opportunity for investigators to exchange views on common features of their work or problems and solutions. The Ombudsman and the directorate take part to brief staff on the management's views on important issues and to get feedback. Topics covered during the year include:

- "Handling Complaints from a 'Human Rights' Angle";
- "The Ombudsman's jurisdiction over complaints against the Judiciary";
- "Customer Service and Staff Complaints";
- "Client Opinion Survey"; and
- "Duty Officer Scheme"

Comments and conclusions from these forums are taken seriously and where appropriate, result in revision of staff guidelines and working procedures.

Fig. 1.2

The Ombudsman briefing at an open forum

Complaints against the Office

1.10 This year, we received a total of 14 complaints against the Office, compared with 11 last year. These complaints are distinct from those directed against The Ombudsman's conclusions of complaint cases which are handled as Revived Cases (see **Chapter 5**). The former are either about staff manner or our procedures as shown in the table at **Fig 1.3**.

Fig. 1.3

Complaints Against the Office
Concluded in 2004/05

Nature	Substantiated	Partially Substantiated	Unsubstantiated	Incapable of Determination
Staff manner (including delay and negligence)	1	1	7	–
Work Procedures	–	–	2	–
Both staff manner and work procedures	1	1	1	–
Total	14			

1.11 We consider the increase a natural phenomenon and a result of the increase in complaints handled by my Office. As more citizens seek redress through our investigation, so too more came into contact with our personnel and practices. We welcome their comments on our services and suggestions for our improvement.

1.12 We draw reference from these complaints to eliminate deficiencies in our system and streamline our procedures and practices. We have also shared with our staff the lessons learned through our open forums, to strive for better services still to our clients.

1.13 On complaints about non-compliance with our performance pledges, we have upgraded our computerised Complaint Management System by installing an alert mechanism to prompt both individual case officers and their supervisors to keep track of outstanding cases that require attention. This not only helps to monitor our investigation of cases but also ensures proper and timely action by scheduled organisations to follow up our recommendations for improvement to their administration and services.

1.14 Oftentimes, however, complainants who are disappointed with our findings and conclusion of their cases revert to us not only for review of their complaints but with criticism of our staff. In such event, The Ombudsman's role has to be emphasised to them. Our function is to establish facts, in fairness to all concerned. Just because a complainant cannot accept the outcome of the case does not mean that the Office has been deficient or biased. We do not, and must not, pander to any party.

1.15 We are publicly funded and The Ombudsman must be impartial and investigate without fear or favour. This is our creed and our firm practice.